

HERBERT SMITH FREEHILLS
NEW YORK LLP
Scott S. Balber
Jonathan C. Cross
450 Lexington Avenue
New York, New York 10017
Telephone: (917) 542-7600
scott.balber@hsf.com
jonathan.cross@hsf.com

Hearing Date: September 14, 2022
Opposition Date: June 9, 2022
Reply Date: July 13, 2022

Attorneys for Defendants Bank Hapoalim (Switzerland) Ltd. and Bank Hapoalim B.M.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Adv. Pro. No. 08-01789 (CGM)

Plaintiff-Applicant,

v.

SIPA LIQUIDATION

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

(Substantively Consolidated)

Defendant.

In re:

ORAL ARGUMENT REQUESTED

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Adv. Pro. No. 12-01216 (CGM)

Plaintiff,

v.

BANK HAPOALIM B.M. and BANK
HAPOALIM (SWITZERLAND) LTD.,

Defendants.

**NOTICE OF HEARING ON THE
HAPOALIM DEFENDANTS' MOTION TO DISMISS THE COMPLAINT**

PLEASE TAKE NOTICE that on April 6, 2022, Bank Hapoalim (Switzerland) Ltd. (“Hapoalim Switzerland”) and Bank Hapoalim B.M. (“Hapoalim B.M.”) (together, the “Hapoalim Defendants”), filed their Motion to Dismiss the Complaint in the above-captioned action pursuant to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure, made applicable here by Rule 7012(b) of the Federal Rules of Bankruptcy Procedure (the “Motion”).

PLEASE TAKE FURTHER NOTICE that a hearing on the Motion will be held on September 14, 2022 at 10:00 a.m. (prevailing Eastern time) before the Honorable Cecelia G. Morris, Chief Judge of the United States Bankruptcy Court for the Southern District of New York (the “Court”), either in person at a location to be designated by the Court or via Zoom. If the hearing is held via Zoom, persons wishing to participate in the hearing must register their appearance utilizing the eCourt Appearances portal available on the Court’s website, and appearances must be entered no later than 4:00 p.m. prevailing Eastern time on the day before the hearing.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Stipulation and Order entered on February 7, 2021 (ECF No. 113), all papers responsive to the Hapoalim Defendants’ Motion to Dismiss the Complaint shall be served and filed no later than June 9, 2022, and all reply papers in further support of the Hapoalim Defendants’ Motion to Dismiss the Complaint shall be served and filed no later than July 13, 2022.

Dated: New York, New York
April 6, 2022

**HERBERT SMITH FREEHILLS
NEW YORK LLP**

By: /s/Scott S. Balber
Scott S. Balber
Jonathan C. Cross
450 Lexington Avenue
New York, New York 10017
Telephone: (917) 542-7600
scott.balber@hsf.com
jonathan.cross@hsf.com

*Attorneys for Defendants Bank Hapoalim
(Switzerland) Ltd. and Bank Hapoalim B.M.*